

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SPECTRUM PHARMACEUTICALS, INC.
and UNIVERSITY OF STRATHCLYDE,

Plaintiffs,

v.

INNOPHARMA, INC., MYLAN TEORANTA,
MYLAN INSTITUTIONAL LLC, and MYLAN
INSTITUTIONAL INC.,

Defendants.

Civil Action No. 12-260-RGA-CJB

REPORT AND RECOMMENDATION

Pending before the Court in this patent infringement action is a letter request by Defendant Innopharma, Inc., (D.I. 275), for the Court to enter judgment in its favor on the grounds that were set forth in the Court's May 22, 2015 Report and Recommendation, (D.I. 273), regarding Defendants Mylan Teoranta, Mylan Institutional LLC, and Mylan Institutional Inc.'s motions for summary judgment as to invalidity and noninfringement, (D.I. 196, 197). As Plaintiffs Spectrum Pharmaceuticals, Inc. and the University of Strathclyde do not oppose this request, (D.I. 277), and because the request otherwise appears to be well taken, the Court hereby recommends that judgment also be entered in favor of Defendant Innopharma, Inc. for the reasons set forth in the May 22, 2015 Report and Recommendation.

This Report and Recommendation is filed pursuant to 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b)(1) and D. Del. LR 72.1. The parties may serve and file specific written objections within fourteen (14) days after being served with a copy of this Report and Recommendation.

Fed. R. Civ. P. 72(b). The failure of a party to object to legal conclusions may result in the loss of the right to de novo review in the district court. *See Sincavage v. Barnhart*, 171 F. App'x 924, 925 n.1 (3d Cir. 2006); *Henderson v. Carlson*, 812 F.2d 874, 878-79 (3d Cir. 1987).

The parties are directed to the Court's Standing Order for Objections Filed Under Fed. R. Civ. P. 72, dated October 9, 2013, a copy of which is available on the District Court's website, located at <http://www.ded.uscourts.gov>.

Dated: June 22, 2015



Christopher J. Burke
UNITED STATES MAGISTRATE JUDGE